

# LAWS OF IOWA

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## [3] CHAPTER 1.

### ROAD.

AN ACT to re-locate a part of the territorial road leading from West Point, in Lee county, to Salem in Henry county.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

SECTION 1. **Names of commissioners and route of road—when and where to meet.** That Elkanah Perdew, John Burns and Elijah Creele, are hereby appointed commissioners to relocate so much of the territorial road leading from West Point, in Lee county, to Salem, in Henry county, as lies between Benjamin Graham's and the north line of Lee county. Said commissioners shall meet at the house of said Graham on the second Monday of February next, or as soon thereafter as convenient, and proceed to relocate so much of said road as above described.

SEC. 2. This act to take effect from and after its passage.

JAMES M. MORGAN,  
Speaker of the House of Representatives.

JOHN D. ELBERT,  
President of the Council.

Approved, 19th December, 1842.

JOHN CHAMBERS.

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## [4] CHAPTER 2.

### A. SCOTT BROWNLEE.

AN ACT granting to A. Scott Brownlee and others, the right to construct a mill race.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa.*

SECTION 1. **Authority to construct a mill race through the public lands granted—route of race—privilege to construct works.** That A. Scott Brownlee and his associates, their heirs and assigns, be and are hereby authorized to dig or construct through the public lands a canal or race of such capacity as may be necessary for milling purposes, from a point on the Waubsipinicon river, near to the southwest corner of section one, in township eighty (80) of range

two (2) east of the (5) fifth principal meridian, or from the southwest side of fraction number (3) three in said section, towards and through the south half of the northeast quarter of the section aforesaid to the foot of the bluff on the north side of the Waubsipinicon bottom; thence along and as near to the foot of the bluff as conveniently may be, to fraction number (1) one, in section number (6) six, in township (80) eighty of range (3) three east of the (5) fifth principal meridian; thence by the course of the large sloughs and bayous on the northern side of section (5) five, of the last above mentioned township, and the channel on the northern side of what is commonly known as Quinn's Island, to discharge the waters of such race again into said river, and to construct such works as may be necessary for the efficiency and security of the said race, and for the advantageous use of the same for the purposes aforesaid.

**SEC. 2. Penalty for injury to.** Any person or persons who shall obstruct or destroy, or in anywise injure said race, or any works appurtenant thereto, shall be deemed to have committed a trespass, and shall be liable accordingly. And any person who shall wilfully or maliciously obstruct, destroy, or in any wise injure said race, or any of the works appurtenant thereto, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined treble the amount of the damages the owners may have sustained, or be imprisoned, at the discretion of the court.

[5] **SEC. 3. Act to continue in force until sale of public lands—may be altered or amended.** This act to take effect from and after its passage, and continue in force till the public lands aforesaid shall have been sold by the general government: provided, that the legislature shall at all times have the power to alter, amend, or repeal this act.

Approved, 3d January, 1843.

### CHAPTER 3.

#### DES MOINES COUNTY.

AN ACT to legalize the acts of the County Commissioners of Des Moines county in certain cases.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

**SECTION 1. Act of county commissioners of, in appointing Wm. B. Remy county recorder, made good and valid.** That the acts of the county commissioners of Des Moines county, in correcting the assessment roll for the year eighteen hundred and forty-one, and the appointment of William B. Remy, county recorder, for said county, to fill the vacancy of John M. Garrigues, deceased, be and the same are hereby declared good and valid in law.

**SEC. 2.** This act to take effect and be in force from and after its passage.

Approved, 3d January, 1843.